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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 SYNKLOUD TECHNOLOGIES, LLC,

14 Plaintiff,

15 vs.

16 ADOBE, INC.,

17 Defendant.

Case No. 3:20-cv-07760 WHA

**DECLARATION OF ASHLEIGH  
NICKERSON IN SUPPORT OF  
PLAINTIFF SYNKLOUD  
TECHNOLOGIES, LLC'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL CERTAIN EXHIBITS**

The Hon. William H. Alsup

Trial Date: June 6, 2022

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20 I, Ashleigh Nickerson hereby declares as follows:

21 1. I am licensed to practice law in the state of California and am an associate at the  
22 law firm of Farella Braun + Martel LLP, attorneys for Defendant Adobe, Inc. ("Adobe") in this  
23 matter. I have personal knowledge of the matters in this declaration, and if I were called as a  
24 witness, I would and could competently testify as to them.

25 2. I submit this declaration in support of Plaintiff's Administrative Motion to File  
26 Under Seal SynKloud's Discovery Letter Brief and Exhibits A-D. The Motion seeks to file the  
27 unredacted version of SynKloud's Discovery Letter Brief and Exhibits A, B and D under seal.  
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3. The Discovery Letter Brief cites to and quotes ADOBE\_00057986 in Exhibit B produced as “Highly Confidential – Attorneys’ Eyes Only.” Adobe has marked this document with “Highly Confidential – Attorneys’ Eyes Only” because it discusses Adobe’s internal notes and communications identifying a particular employee, and offering internal information about the design and engineering of Adobe’s products. Adobe takes steps to protect this type of confidential information by keeping it in their internal system that is closed off to the public. Because this document is quoted in the Discovery Letter Brief, and is designated under the Stipulated Protective Order (Dkt. 44), Adobe requests to file the unredacted letter under seal in addition to the Exhibits.

4. The Discovery Letter Brief also cites to Exhibits A, B and D which refer to documents produced by Defendant as “Highly Confidential – Attorneys’ Eyes Only.” Adobe marked these documents with “Highly Confidential – Attorneys’ Eyes Only” under the Protective Order in force in this case because they showcase internal communications from identifiable employees related to the design and engineering of Adobe’s products. As mentioned above, Adobe takes steps to protect this type of confidential information by keeping it in their internal system that is closed off to the public. Therefore, Adobe requests to file these exhibits under seal.

5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 9<sup>th</sup> day of April, 2021, in San Francisco, California

/s/ Ashleigh Nickerson  
Ashleigh Nickerson